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16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN JOSE DIVISION

19 SECURITIES AND EXCHANGE
20 COMMISSION,

21 Plaintiff,

22 vs.

23 MARK LESLIE, KENNETH E.
24 LONCHAR, PAUL A. SALLABERRY,
25 MICHAEL M. CULLY AND DOUGLAS
26 S. NEWTON,

27 Defendants.

Case No. 5:07-cv-03444-JF

**[PROPOSED] ORDER GRANTING
DEFENDANT MARK LESLIE'S
REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF MOTION TO DISMISS THE
COMPLAINT OR, IN THE
ALTERNATIVE, TO STRIKE
PRAYER FOR PENALTIES**

Date: January 18, 2008
Time: 9:00 a.m.
Dept.: Courtroom 3, 5th Floor
Judge: Honorable Jeremy D. Fogel

Date Complaint Filed: July 2, 2007
Date Set For Trial: None

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1 After full consideration of the pleadings and the papers submitted in support of Defendant
2 Mark Leslie's Request for Judicial Notice, and good cause appearing therefore, the supporting
3 documents referenced therein are subject to judicial notice under Federal Rule of Evidence
4 201(b). Accordingly, the Court GRANTS the Defendant's Request for Judicial Notice, and takes
5 judicial notice of the following:

6 1. Mark Leslie's email to Veritas Software Corporation's ("Veritas") Board of
7 Directors and Audit Committee dated October 2, 2000.

8 2. Audit Committee Member Steve Brooks' email to Veritas' Board of Directors
9 dated October 3, 2000.

10 3. Veritas' Form 10-K for the fiscal year ended December 31, 2000, filed with the
11 SEC March 29, 2001.

12 4. Veritas' Form 10-K/A filed with the SEC on March 17, 2003.

13 5. Veritas' Form 8-K filed with the SEC on October 12, 2000, announcing Veritas'
14 financial results for Q3 2000.

15 6. Veritas' Form 8-K filed with the SEC on January 24, 2001, announcing Veritas'
16 financial results for Q4 2000.

17
18 **IT IS SO ORDERED.**

19
20 DATED: _____

HONORABLE JEREMY FOGEL